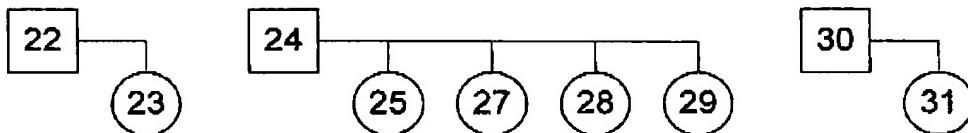


In re Application of NATHAN et al.
Application No. 09/541,461

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REMARKS

Reconsideration of the application is respectfully requested. An Office action mailed November 17, 2004 is pending in the application. Applicants have carefully considered the Office action and the references of record. In the Office action, claims 19-26 were rejected under 35 U.S.C. § 102. In this response to the Office action, claims 19-21 and 26 have been canceled, claims 22 and 24 have been amended, and claims 27-31 have been added. Therefore, claims 22-25 and 27-31 are pending in the application. The following diagram depicts the relationship between the independent and dependent claims.



Rejections Under 35 U.S.C. § 102 of the Independent Claims

Each of the independent claims 22 and 24 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,212,558 to Antur et al. (hereinafter *Antur*). However, the Manual of Patent Examining Procedure (M.P.E.P.) states that a claim is anticipated by a reference only if each and every element as set forth in the claim is found in the reference and, furthermore, that the identical invention must be shown in as complete detail as is contained in the claim.

A claim is anticipated **only** if **each and every** element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. ... The **identical** invention **must** be shown in as **complete detail** as is contained in the ... claim.

(M.P.E.P. § 2131, subsection titled “TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM,” emphasis added). Each of the independent claims 22 and 24 as amended herein includes at least one feature that is not found in *Antur*. For at least this reason, the rejection under 35 U.S.C. § 102(e) of each independent claim 22 and 24 should be withdrawn.

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For example, independent claim 24 as amended herein clarifies the nature of the application-level gateway proxy device and, in particular, the nature of relationships between certain of its internal components. As shown in the drawings (e.g., element 518 of Figure 5) and described in the specification (e.g., page 18, line 17 to page 19, line 2) of the present application, the claimed application-level gateway proxy device includes an internal communications socket. The internal communications socket connects a network address translation component of the application-level gateway proxy device and a filtering component of the application-level gateway proxy device.

An application-level gateway proxy device, comprising ... a communications socket internal to the application-level gateway proxy device and communicatively connected to: the component for performing the network address translation; and the component for filtering.

(Independent claim 24, as amended).

Even if the 'multi-level firewall' of *Antur* is construed as an application-level gateway proxy device of the present application, *Antur* does not describe the multi-level firewall as having the componentized nature of the claimed application-level gateway proxy device nor, in particular, as having the claimed relationships between the components of the application-level gateway proxy device. Therefore, *Antur* fails to teach each and every element of the claims in as complete detail as is contained in the claims.

Not only does *Antur* fail to describe the claimed invention, when fairly considered, *Antur* further fails to suggest all of the features of the independent claims 22 and 24. A rejection of the claims under 35 U.S.C. § 103(a) based on a combination of teachings including those in *Antur* would therefore be inappropriate for at least this reason.

Newly Added Claims

Claims 27-31 have been added in this amendment to more particularly point out and distinctly claim the invention as described by the specification. In compliance with 37 C.F.R. § 1.121(f), they do not add new matter.

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The Remaining Dependent Claims

Each of claims 22 and 24 is in independent form, whereas all of the remaining claims depend directly or indirectly on one of these two independent claims. The dependent claims are allowable for at least the same reasons that the two independent claims 22 and 24 are allowable in that the dependent claims incorporate the features of the independent claims. Nevertheless, the dependent claims further define subject matter not shown or rendered obvious by the prior art of record. Because the independent claims are allowable over the applied prior art, applicants do not believe remarks addressing this further subject matter are necessary herein.

CONCLUSION

The application is considered in good and proper form for allowance, and the examiner is respectfully requested to pass this application to issue. If, in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned attorney.

Respectfully submitted,


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